



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number:	3003090
Applicant Name:	Brittani Ard
Address of Proposal:	3649 South Morgan Street

SUMMARY OF PROPOSED ACTION

Land Use Permit to allow two, three story, two unit duplex structures (totaling four units) with a single car garage in each unit.

The following approval is required:

Administrative Conditional Use - to allow a single purpose residential structure in a NC1-30 zone (Chapter 23.47.004 E, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition
or involving another agency with jurisdiction.

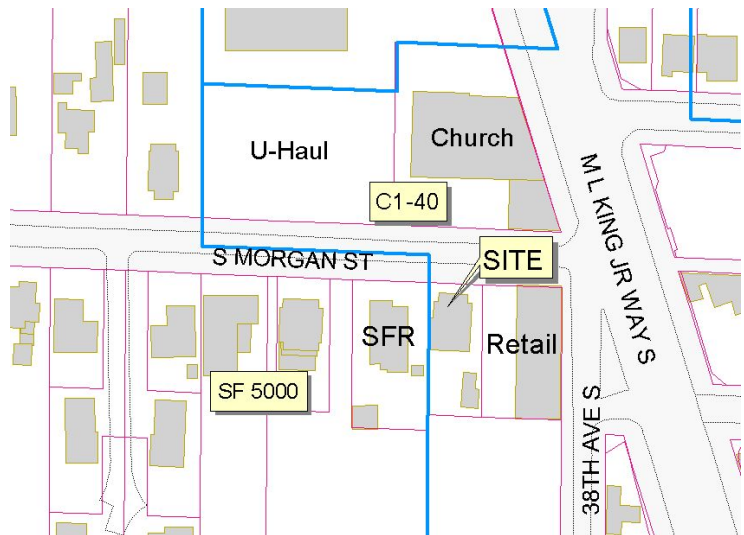
BACKGROUND DATA

Site and Vicinity Description

The subject site is located on South Morgan Street just west of Martin Luther King Jr. Way South in a Commercial 1 zone with a 40 foot height limit (C1-40). The site is 5,803 square feet (49 feet by 118 feet) in area and developed with a single family home. The house is on about a 4-5 foot plateau as viewed from the street. At the house grade, the topography is fairly flat but ascends towards the rear yard.

The surrounding property to the west, on the south side of Morgan Street is zoned Single Family 5000 and developed with single family homes. Property to the north side of Morgan Street and to the east is zoned C1-40 and developed with institutional and commercial uses. The zoning boundary between C1-40 and SF 5000 aligns with the west property line of the subject site, but turns west at the center of Morgan Street (see map).

South Morgan Street is only improved with roadway; no curb, gutter, sidewalk or street trees exist in the right of way.



Project Description

The applicant is proposing to demolish the existing single family home and detached garage and construct four multifamily units. The project would consist of two, two-unit duplex buildings with attached one car garages. Vehicular access would be via a driveway along the west property line from South Morgan Street. The two buildings would be sited with one in the rear of the site and another more narrow building in the front of the site with the driveway beside it.

Public Comment

No public comment letters were received during the public comment period which ended on March 29, 2006.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

Section 23.47.006.A (SMC) provides general conditional use criteria that apply to all conditional use applications. Section 23.47.006 B.4 (SMC) provides specific criteria to be applied to an analysis of an application for single purpose residential uses in a C1 zone. Applicable criteria are stated in italics below, followed by analysis in each instance.

Section 23.47.006.A (SMC)

This section of the Code states in part: *all conditional uses shall be subject to the procedures described in Chapter 23.76, and shall meet the following criteria:*

- 1. The use shall not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*
- 2. In authorizing a conditional use, adverse impacts may be mitigated by imposing any conditions needed to protect other properties in the zone or vicinity and to protect the public interest. The Director shall deny or recommend denial of a conditional use if it is determined that adverse impacts cannot be mitigated satisfactorily.*

The proposed residential use will not be materially detrimental or create adverse impacts in that more intense commercial developments are allowed and contemplated within this zone. The potential impacts and detrimental effects associated with allowing a single purpose residential use in a commercial zone are evaluated under specific Conditional Use criteria below.

Section 23.47.006.B.4 (SMC)

This section of the Code states in part: *in order to conserve the limited amount of commercially zoned land for commercial uses, single-purpose residential structures shall generally not be allowed in commercial zones...where single-purpose residential structures may be permitted as an administrative conditional use, such a permit may be granted only when the following circumstances exist:*

- a. Due to location or parcel size, the proposed site is not suited for commercial development; or*

The parcel size is relatively small, 5,803 square feet, for commercial development with only 49 feet of street frontage. The topography of the site is less than ideal for commercial development in that the structure sits on top of a plateau and is about 4-5 feet above street grade. A new commercial development or mixed use development would likely require a substantial amount of grading to better link the floor level with the street. It is feasible to build a commercial building utilizing the existing topography but anecdotal evidence suggests that commercial space elevated above the street is less than ideal.

The parcel is located on a block that is not predominately developed with commercial development, and not likely to be, which makes it not well suited for commercial development. The majority of the block, west of the site, is zoned Single Family 5000 and is developed with single family homes.

- b. There is substantial excess supply of land available for commercial use near the proposed site, evidenced by such conditions as a lack of commercial activity in existing commercial structures for a sustained period, commercial structures in disrepair, and vacant or underused commercially zoned land; provided that single-purpose residential development shall not interrupt an established commercial street front. As used in this subsection, an “established commercial street front” may be intersected by streets or alleys, and some lots with no current commercial use.*

The site is not considered to be on an established commercial street front. The south side of the block along South Morgan Street is predominately developed with single family homes from Martin Luther King Jr. Way South to where the pavement terminates (3513 South Morgan Street). There is one parcel with frontage on Martin Luther King Jr. Way South which is developed with commercial. On the north side of the street a church is on the corner and a parking lot used by U-haul is to the west of the church.

There seems to be a substantial supply of land available for commercial use, underdeveloped commercial property and vacant buildings in the area; however, the commercial corridor along Martin Luther King Jr. Way South has been substantially disrupted from the Sound Transit

construction of light rail. The commercial vacancy rate is likely impacted by the construction, but it's clear that the commercial property in the area is underdeveloped and there is opportunity for significant growth once the light rail construction is completed. Therefore, this site would not squander needed commercial land.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The proposed action is **GRANTED**.

CONDITIONS-ADMINISTRATIVE CONDITIONAL USE

None.

Signature: (signature on file)
Jess E. Harris, AICP, Senior Land Use Planner
Department of Planning and Development

Date: June 15, 2006